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Attorneys for Defendants
CENTOCOR ORTHO BIOTECH INC., erroneously
served and sued herein as CENTOCOR, INC., and
JOHNSON & JOHNSON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

STEPHEN WENDELL & LISA
WENDELL, his wife, for themselves and
as successors in interest to MAXX
WENDELL, deceased,

Plaintiffs,

v.

JOHNSON & JOHNSON; CENTOCOR,
INC.; ABBOTT LABORATORIES;
SMITHKLINE BEECHAM d/b/a
GLAXOSMITHKLINE; TEVA
PHARMACEUTICALS USA; GATE
PHARMACEUTICALS, a division of
TEVA PHARMACEUTICALS USA; PAR
PHARMACEUTICALS; MYLAN
LABORATORIES, INC.,

Defendants.

Case No. CV-09-4124-CW

**JOINT STIPULATION FOR FILING OF
AMENDED COMPLAINT**

Amended Complaint: June 10, 2010
Judge: Honorable Claudia Wilken

STIPULATION

WHEREAS, plaintiffs Stephen Wendell and Lisa Wendell, for themselves and as successors-in-interest to Maxx Wendell (hereinafter "Plaintiffs") originally filed this action in San Francisco Superior Court on July 2, 2009 (hereinafter "Wendell I");

WHEREAS, on the same day, July 2, 2009, Plaintiffs filed a similar lawsuit in United States District Court for the District of New Jersey (hereinafter "Wendell II");

WHEREAS, on October 13, 2010, the district court in New Jersey ordered that Wendell II be transferred to the United States District Court for the Northern District of California;

WHEREAS, on December 1, 2010, Plaintiffs moved to deem Wendell II related to Wendell I;

WHEREAS, Wendell I and Wendell II involve the same parties, arise from the same series of events, and are based on similar complaints;

WHEREAS, the parties have stipulated to dismiss Wendell II in order to move forward with a single case rather than proceed with two separate cases;

THE PARTIES HEREBY STIPULATE AS FOLLOWS:

1. Under Federal Rule of Civil Procedure 15(a)(2), all parties hereto stipulate that Plaintiffs may amend their pleadings in Wendell I to incorporate claims under New Jersey law from the complaint in Wendell II. The proposed amended pleading is attached hereto as Exhibit A.

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2. Defendants acknowledge receipt of the pleading and agree that their amended answers thereto, or their motions to dismiss any additional claims under New Jersey law, will be due on March 8, 2011.

/s/ Kevin Haverty
 Kevin Haverty (*pro hac vice*)
 WILLIAMS CUKER BEREZOVSKY
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 Counsel for Plaintiffs

/s/ Andrew P. Bautista
 Andrew P. Bautista (*pro hac vice*)
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 Counsel for Abbott Laboratories

/s/ Prentiss W. Hallenbeck, Jr.
 Prentiss W. Hallenbeck, Jr. (*pro hac vice*)
 ULMER & BERNE LLP
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 Counsel for Par Pharmaceutical, Inc.

/s/ Michelle A. Childers
 Michelle A. Childers
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 Counsel for Centocor Ortho Biotech, Inc. and Johnson & Johnson

/s/ Prentiss W. Hallenbeck, Jr.
 Prentiss W. Hallenbeck, Jr. (*pro hac vice*)
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 Counsel for Teva Pharmaceuticals USA, Inc.

/s/ William A. Hanssen
 William A. Hanssen
 DRINKER BIDDLE & REATH LLP
 333 South Grand Ave., Ste. 1650
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 Counsel for SmithKline Beecham Corporation d/b/a GlaxoSmithKline

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 2/3/2011


 CLAUDIA WILKEN
 United States District Judge

ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Michelle A. Childers, am the ECF user whose ID and password are being used to file this JOINT STIPULATION FOR FILING OF AMENDED COMPLAINT. In compliance with General Order 45, X.B., I hereby attest that the following attorneys have concurred in this filing: Kevin Haverty, counsel for Plaintiffs; Prentiss W. Hallenbeck, Jr., counsel for Teva Pharmaceuticals USA, Inc., and Par Pharmaceutical, Inc.; William A. Hanssen, counsel for SmithKline Beecham Corporation; and Andrew P. Bautista, counsel for Abbott Laboratories.

/s/ Michelle A. Childers